

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**STEPHEN McCOLLOM, *et al.*,**  
*Plaintiffs,*

**v.**

**BRAD LIVINGSTON, *et al.*,**  
*Defendants.*

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**CIVIL ACTION NO. 3:12-CV-02037**

**DEFENDANT UNIVERSITY OF TEXAS MEDICAL BRANCH'S  
AMENDED OPPOSED MOTION TO QUASH**

Comes now defendant, the University of Texas Medical Branch, by and through its attorney, the Attorney General for the State of Texas, and files this Amended Motion to Quash. Defendant shows the following:

1. Before this court is Plaintiffs' Motion For Protective Order and To Quash Unauthorized Depositions D.E. 120;
2. Plaintiffs' Emergency Opposed Motion To Depose University of Texas Medical Branch's Expert Witness, Glenda Adams, Or To Exclude Adam's Expert testimony D.E. 123;
3. Defendant UTMB's Response To Plaintiff's Motion To Quash and Motion To Compel D.E. 127;
4. And this Defendant's Motion To Quash.

On Friday, February 14, plaintiffs noticed the deposition of Dr. Adams. See attached Exhibit A. The notice sets the location of the deposition in Dallas. However, the witness resides and works in Conroe, Texas. Plaintiffs' attorneys live in Austin, and all of defendants' attorneys live in Austin. If the court grants Plaintiffs' Emergency Motion To Depose Dr. Adams, and

particularly since this would be Dr. Adams second deposition, defendant requests that the deposition take place at her office at 200 River Point, Suite 200, Conroe, Texas 77304.

WHEREFORE PREMISES CONSIDERED, Defendant prays that Dr. Glenda Adams be deposed, if at all, in her offices in Conroe, Texas.

Respectfully submitted,

GREG ABBOTT  
Attorney General of Texas

DANIEL T. HODGE  
First Assistant Attorney General

DAVID C. MATTAX  
Deputy Attorney General for Defense Litigation

KAREN D. MATLOCK  
Assistant Attorney General  
Chief, Law Enforcement Defense Division

/s/KIM COOGAN  
KIM COOGAN  
Assistant Attorney General  
State Bar No. 00783867

Law Enforcement Defense Division  
P. O. Box 12548, Capitol Station  
Austin, Texas 78711  
(512) 463-2080/Fax (512) 495-9139

**ATTORNEYS FOR DEFENDANT  
UNIVERSITY OF TEXAS MEDICAL BRANCH**

#### **CERTIFICATE OF CONFERENCE**

I, KIM COOGAN, Assistant Attorney General of Texas, have conferred with opposing counsel, Jeff Edwards, regarding Defendant University of Texas Medical Branch's Motion to Quash and he is opposed to this motion.

/s/ KIM COOGAN  
KIM COOGAN  
Assistant Attorney General

### NOTICE OF ELECTRONIC FILING

I, KIM COOGAN, Assistant Attorney General of Texas, do hereby certify that I have electronically submitted for filing, a true and correct copy of **Defendant University Of Texas Medical Branch's Amended Opposed Motion To Quash**, in accordance with the Electronic Case Files system of the USDC – Northern District of Texas, on this the 21st day of February, 2014.

/s/ KIM COOGAN  
KIM COOGAN  
Assistant Attorney General

### CERTIFICATE OF SERVICE

I, KIM COOGAN, Assistant Attorney General of Texas, do hereby certify that a true and correct copy of the above and foregoing **Defendant University Of Texas Medical Branch's Amended Opposed Motion To Quash**, has been served by placing the same in the United States Postal Service, postage prepaid, on this the 21st day of February, 2014, addressed to:

Jeff Edwards  
The Edwards Law Firm  
1101 E. 11th Street  
Austin, Texas 78702

Brian McGiverin  
Texas Civil Rights Project  
1405 Montopolis Drive  
Austin, Texas 78741

Bruce R. Garcia  
Office of the Attorney General  
P. O. Box 12548, Capitol Station  
Austin, Texas 78711

Demetri Anastasiadis  
Office of the Attorney General  
P. O. Box 12548, Capitol Station  
Austin, Texas 78711

/s/KIM COOGAN  
KIM COOGAN  
Assistant Attorney General